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7 Attorneys for Complainant

8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2009-239

13 RITA GILLIAN LAWRENCE,
a.k.a. RITA G. LAWRENCE
14 P.O. Box 8865
Emeryville, CA 94662

A C C U S A T I O N

15 Registered Nurse License No. 696230

16 Respondent.

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18 Complainant alleges:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation
21 solely in her official capacity as the Executive Officer of the Board of Registered Nursing
22 ("Board"), Department of Consumer Affairs.

23 2. On or about January 30, 2007, the Board issued Registered Nurse License
24 Number 696230 to Rita Gillian Lawrence, also known as Rita G. Lawrence ("Respondent").
25 Respondent's registered nurse license was in full force and effect at all times relevant to the
26 charges brought herein and will expire on August 31, 2010, unless renewed.

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1 **CAUSE FOR DISCIPLINE**

2 **(Disciplinary Action by the Kansas State Board of Nursing)**

3 7. Respondent is subject to disciplinary action pursuant to Code section
4 2761, subdivision (a)(4), on the grounds of unprofessional conduct, in that Respondent was
5 disciplined by the Kansas State Board of Nursing (hereinafter "Kansas Board"), as follows:
6 On or about June 3, 2008, pursuant to the Proposed Default Order to Revoke License in the
7 disciplinary proceeding titled *In the Matter of Rita G. Lawrence License No. 13-055548-072*,
8 which was filed and served May 27, 2008, the Kansas Board revoked Respondent's license to
9 practice nursing in the State of Kansas. Respondent was alleged to have violated K.S.A. 65-
10 1120(a)(6), unprofessional conduct by virtue of K.A.R. 60-3-110(d), inaccurately recording,
11 falsifying, or altering any record of a patient or agency or of the board, and unprofessional
12 conduct by virtue of K.A.R. 60-3-110(c), failing to take appropriate action or to follow policies
13 and procedures in the practice situation designed to safeguard each patient, based on the
14 following: Respondent was the owner and operator of Platinum Health Care, Inc. (Platinum),
15 Shawnee Mission, Kansas. In or about May of 2005, Platinum was registered as a Home Health
16 Agency with the State of Kansas pursuant to K.S.A. 65-5101, et seq. Platinum surrendered the
17 Home Health Agency license on or about August 1, 2006. During May of 2006, NB was a client
18 of Platinum and was provided services by Platinum on multiple occasions. During June of 2006,
19 PB was a client of Platinum and was provided services. Pursuant to an investigation by the
20 KSBN, Respondent made available client records for NB and PB. Neither record contained the
21 required plan of care for the above clients. A true and correct copy of the Proposed Default
22 Order, which became effective June 3, 2008, is attached hereto as Exhibit "A" and incorporated
23 herein by reference.

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PRAYER


WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 696230, issued to Rita Gillian Lawrence, also known as Rita G. Lawrence;

2. Ordering Rita Gillian Lawrence, also known as Rita G. Lawrence, to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: 4/21/09.


RUTH ANN TERRY, M.P.H., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California

Complainant

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EXHIBIT A
PROPOSED DEFAULT ORDER TO REVOKE LICENSE

FILED

MAY 27 2008

KSBN

BEFORE THE KANSAS STATE BOARD OF NURSING

Landon State Office Building, 900 S.W. Jackson #1051
Topeka, Kansas 66612-1230

**IN THE MATTER OF
RITA G. LAWRENCE
License No. 13-055548-072**

Case No. 06-558-7

PROPOSED DEFAULT ORDER TO REVOKE LICENSE

NOW ON THIS 27th day of May, 2008, petitioner, the Kansas State Board of Nursing, appears by disciplinary counsel, Mark A. Knight, for a Hearing on the Petition. Respondent does not appear.

Wherefore, the Presiding Officer finds as follows:

1. Respondent is licensed to practice nursing in Kansas through 7/31/2008. The Kansas State Board of Nursing has jurisdiction over the Respondent and the subject matter of this action.
2. Petitioner sent a copy of the petition and notice of this hearing to respondent's last known address and service is proper.
3. Petitioner moves for issuance of a proposed default order revoking respondent's license. The petitioner's request is granted by default.
4. The petition is hereby granted and incorporated into this order as if set forth herein. Respondent violated the Nurse Practice Act as alleged in the petition.
5. Per petitioner's request, respondent's license to practice nursing is revoked. Respondent ~~may not practice nursing in Kansas.~~
6. Costs of the action of \$70 are assessed to respondent to be paid to the board by cash or money order within 30 days of the effective date of this order.
7. Respondent shall immediately forward his or her original Kansas registered nurse license to the Kansas State Board of Nursing.
8. Disciplinary counsel shall mail a copy of this proposed default order to respondent's last known address.


IT IS SO ORDERED.


Sandra L. Sharon, Presiding Officer

NOTICE

This is a proposed default order pursuant to K.S.A. 77-520. This order becomes effective if respondent does not file a written motion requesting that this order be vacated with the board within seven days after the day this order is mailed. If a motion is timely filed, then a hearing will be set and notice given to respondent to appear. Another order will then be issued either vacating or affirming this order. The written motion is to be filed at:

State Board of Nursing - Legal Division
Landon State Office Building
900 SW Jackson, Ste 1051
Topeka, KS 66612-1230


Mark A. Knight, #12183
Disciplinary Counsel
Kansas State Board of Nursing
900 S.W. Jackson, Suite #1051
Topeka, KS 66612-1230
785-296-4325

CERTIFICATE OF SERVICE

I certify that on the 27th day of May, 2008, the foregoing copy of the Proposed Default Order Revoking License was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

~~Rita G. Lawrence~~
7200 Eby Dr #202
Shawnee Mission, KS 66204

Mark E. McFarland
10111 West 87th Street
P.O. Box 12290
Overland Park, KS 66282

**I do hereby certify the
foregoing to be a true copy
of the document which
is on file or is of record
in my office**


Mark A. Knight
Assistant Attorney General

BEFORE THE KANSAS STATE BOARD OF NURSING

Landon State Office Building, 900 S.W. Jackson #1051
Topeka, Kansas 66612-1230

FILED

APR 28 2008

KSBN

**IN THE MATTER OF
RITA G. LAWRENCE
License No. 13-055548-072**

Case No. 06-558-7

PETITION

COMES NOW the petitioner, the Kansas State Board of Nursing, by and through Assistant Attorney General assigned to the Board, Mark A. Knight, and for its cause of action states that:

1. Respondent is licensed to practice nursing in Kansas through 7/31/2008. The Board has jurisdiction over the respondent and the subject matter of this action.
2. Respondent's address of record is 7200 Eby Dr #202, Shawnee Mission, KS 66204.
3. After an investigation, the Board's investigative committee found reasonable grounds to believe that the respondent violated the Kansas Nurse Practice Act, K.S.A. 65-1120, and referred this matter for further proceedings.
4. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 et seq. to examine, license and renew license for duly qualified applicants and may limit, deny, suspend or revoke a license or authorization to practice nursing, may issue a public or private censure and levy administrative fines consistent with K.S.A. 74-1110, if a violation of K.S.A. 65-1120(a) is established.

FACTS COMMON TO ALL COUNTS

5. The facts below are common to all counts:
 - (a) Respondent was the owner and operator of Platinum Health Care, Inc. (Platinum), Shawnee Mission, Kansas. On or about May of 2005, Platinum was registered as a Home Health Agency with the State of Kansas pursuant to K.S.A. 65-5101 et. seq. Platinum surrendered the Home Health Agency license on or about 8/1/2006.

(b) Pursuant to K.S.A. 65-5109, the Kansas Secretary of Health and Environment may adopt rules and regulations necessary to regulate Home Health Agencies. K.A.R. 28-51-110 is such a regulation.

(c) K.A.R. 28-51-110 requires that A clinical record containing pertinent past and current findings shall be maintained in accordance with accepted professional standards for each patient receiving home health services. K.A.R. 28-51-110 requires each patient's clinical record to contain at least the patient's plan of care; the name of the patient's physician; drug, dietary, treatment, and activity orders; signed and dated admission and clinical notes that are written the day the service is rendered and incorporated at least weekly; copies of summary reports sent to the physician; copies of progress notes; and the discharge summary.

(d) During May of 2006 NB was a client of Platinum. NB was provided services by Platinum on multiple occasions.

(e) During June of 2006 PB was a client of Platinum. PB was provided services by Platinum during June of 2006.

(f) Pursuant to an investigation of the above captioned case by the KSBH, Respondent made available client records for NB and PB. Neither client record contained the required plan of care for the above clients.

VIOLATIONS

6. Respondent has violated the Kansas Nurse Practice Act as follows:

Count 1: K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110(d), inaccurately recording, falsifying, or altering any record of a patient or agency or of the board.

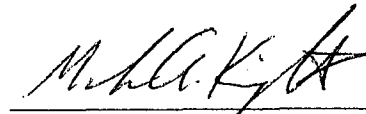
Count 2: K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110(c), failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard each patient.

WHEREFORE, petitioner requests a finding that the respondent has violated the Nurse Practice Act, that respondent's license to practice nursing in Kansas be revoked, and that costs of this action be assessed to the respondent in the amount of \$70.00.

Respectfully submitted,

Stephen N. Six
Kansas Attorney General

By:



Mark A. Knight, #12183
Assistant Attorney General

I do hereby certify the
foregoing to be a true copy
of the document which
is on file or is of record
in my office